

APPENDIX

47 C.F.R. § 73.658 AFFILIATION AGREEMENTS AND NETWORK PROGRAM PRACTICES; TERRITORIAL EXCLUSIVITY IN NON-NETWORK PROGRAM ARRANGEMENTS

(a) EXCLUSIVE AFFILIATION OF STATION.

No license shall be granted to a television broadcast station having any contract arrangement, or understanding, express or implied with a network organization under which the station is prevented or hindered from, or penalized for, broadcasting the programs of any other network organization. (The term "network organization" as used in this section includes national and regional network organizations. See ch. VII, J. of Report on Chain Broadcasting.)

(b) TERRITORIAL EXCLUSIVITY.

No license shall be granted to a television broadcast station having any contract, arrangements, or understanding, express or implied with a network organization which prevents or hinders another broadcast station located in the same community from broadcasting the network's programs not taken by the former station, or which prevents or hinders another broadcast station located in a different community from broadcasting any program of the network organization pursuant to which the station is granted the first call in its community upon the programs of the network organization. As employed in this paragraph, the term "community" is defined as the community specified in the instrument of authorization as the location of the station.

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(d) STATION COMMITMENT OF BROADCAST TIME.

No license shall be granted to a television broadcast station having any contract, arrangement, or understanding, express or implied, with any network organization, which provides for optioning of the station's time to the network organization, or which has the same restraining effect as time optioning. As used in this section, time optioning is any contract, arrangement, or understanding, express or implied, between a station and a network organization which prevents or hinders the station from scheduling programs before the network agrees to utilize the time during which such programs are scheduled, or which requires the station to clear time already scheduled when the network organization seeks to utilize the time.

(e) RIGHT TO REJECT PROGRAMS.

No license shall be granted to a television broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which, with respect to programs offered or already contracted for pursuant to an affiliation contract, prevents or hinders the station from (1) rejecting or refusing network programs which the station reasonably believes to be unsatisfactory or unsuitable or contrary to the public interest, or (2) substituting a program which, in the station's opinion, is of greater local or national importance.

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(g) DUAL NETWORK OPERATION.

No license shall be issued to a television broadcast station affiliated with a network organization which maintains more than one network of television broadcast stations.
Provided, That this section shall not be applicable if such networks are not operated simultaneously, or if there is no substantial overlap in the territory served by the group of stations comprising each such network.

47 C.F.R. § 73.3555 MULTIPLE OWNERSHIP

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(d) (1) No license for a commercial AM, FM or TV broadcast station shall be granted, transferred or assigned to any party (including all parties under common control) if the grant, transfer or assignment of such license would result in such party or any of its stockholders, partners, members, officers or directors, directly or indirectly, owning, operating or controlling, or having a cognizable interest in, either:

(i) more than fourteen (14) stations in the same service, or

(ii) more than twelve (12) stations in the same service which are not minority-controlled.

CERTIFICATE OF SERVICE

I, Jillian Wing, a legal secretary at the law firm of Hogan & Hartson, hereby certify that on this 21st day of November, 1991, I caused to be served by hand a copy of COMMENTS OF FOX BROADCASTING COMPANY addressed to the following:

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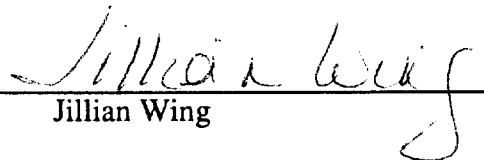
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